



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

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### H.B. 149

131st General Assembly

(H. Financial Institutions, Housing, and Urban Development)

This table summarizes how the latest substitute version of the bill differs from the As Introduced version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

| Topic                                    | Previous Version<br>(As Introduced)  | Sub. Version<br>(LSC 131 1357-2)  |
|--|--|---|
| <b>Amendment of complaints</b>           | No provision.  | Specifies that a complaint related to housing discrimination can be amended no later than seven days before the commencement of a hearing on the complaint by the Ohio Civil Rights Commission (OCRC) ( <i>R.C. 4112.05(C)(1)(b)</i> ). |
| <b>Housing discrimination exemptions</b> | Exempts certain actions from being considered housing discrimination with regard to single family homes, if certain conditions are met, and multi-family homes of less than four units, if the property is owner occupied ( <i>R.C. 4112.024(F)</i> ). | No provision.   |
| <b>Housing discrimination penalties</b>  | Alters the penalties that the OCRC is required to levy when it finds a case of housing discrimination, including changing the monetary penalties from punitive damages to civil penalties ( <i>R.C. 4112.05(G)(1)(b)</i> ).                            | Adds to the potential penalties remediation in the form of a class, seminar, or any other type approved by the OCRC.  |

| Topic                                 | Previous Version<br>(As Introduced)  | Sub. Version<br>(LSC 131 1357-2)  |
|---------------------------------------|--|---|
|                                       | <p>Reduces the maximum monetary penalty that may be assessed in cases of housing discrimination, from \$10,000 to \$2,000 (R.C. 4112.05(G)(1)(b)(i)).</p> <p>Reduces the maximum monetary penalty for a person who has, within the previous five years, been found to have committed housing discrimination, from \$25,000 to \$5,000 (R.C. 4112.05(G)(1)(b)(ii)).</p> <p>Reduces the maximum monetary penalty for a person who has, within the previous seven years, been found to have committed housing discrimination two or more times, from \$50,000 to \$10,000 (R.C. 4112.05(G)(1)(b)(iii)).</p> | <p>Reduces the maximum penalty to \$5,000, unless the guilty respondent was required to undergo remediation, in which case the maximum penalty remains \$2,000.</p> <p>Maintains current law maximum.</p> <p>Maintains current law maximum.</p>   |
| <b>Alternative dispute resolution</b> | <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>   | <p>Adds alternative dispute resolution as an alternative to the informal methods of addressing allegations of discrimination (R.C. 4112.05).</p> <p>Specifies that materials and proceedings related to alternative dispute resolution, like the informal methods, are considered confidential (R.C. 4112.05(B)(5)).</p> <p>Specifies that alternative dispute resolution may be entered into at any time, whereas the informal methods are to be attempted prior to a formal hearing (R.C. 4112.05(A)(2)).</p> |
| <b>Oath making</b>                    | <p>No provision.</p>   | <p>Authorizes an oath related to an allegation of discrimination to be made in any form the person making the oath deems binding on that person's conscience, including declarations made under penalty of perjury (R.C. 4112.05(B)(1)(a)).</p>   |



| Topic   | Previous Version<br>(As Introduced) | Sub. Version<br>(LSC 131 1357-2)  |
|---|-------------------------------------|---|
| <b>Signing an allegation</b>                      | No provision.                       | Enables an allegation of discrimination that has been filed in accordance with the appropriate deadline to be signed after the deadline has passed ( <i>R.C. 4112.05(B)(1)(b)</i> ).  |
| <b>Individuals authorized to administer oaths</b> | No provision.                       | Adds the following individuals to the list of individuals that are authorized to administer oaths, take affidavits, and acknowledgments in relation to official duties: <ul style="list-style-type: none"> <li>• An administrative law judge of the OCRC;</li> <li>• A mediator of the OCRC;</li> <li>• A field coordinator of the OCRC;</li> <li>• A supervisor of the OCRC;</li> <li>• Any person appointed and commissioned as an Ohio notary public<sup>1</sup> (<i>R.C. 4112.09</i>).</li> </ul> |
| <b>Office information filings</b>                 | No provision.                       | Requires the OCRC to update filings with the Secretary of State containing the name and residence address of the occupant of certain offices on a quarterly basis, as opposed to requiring these filings to be cancelled and refiled whenever the pertinent information changes ( <i>R.C. 4112.09</i> ).  |

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<sup>1</sup> **COMMENT:** It is unclear exactly what "official duties" refers to here, especially with regard to a notary public. Context would indicate that this should be interpreted as "official OCRC duties." However, as the explicit language refers only to "official duties," and as a notary public unaffiliated with the OCRC could have various "official duties," this provision could yield unintended consequences of an indeterminate nature.